GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

PUBLIC SERVANTS – Housing Department - Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District – Trapped by the ACB on 19.04.2002 - Acquitted by the Trail Court – Criminal Appeal (SR) No.27987 of 2013 filed before the Hon'ble High Court – Dismissed - Further action dropped - Treating the suspension period as 'On Duty' – Orders – Issued.

HOUSING (VIG.CELL.A1) DEPARTMENT

G.O.RT.No. 100 Dated: 01-12-2017
Read the following:-

1. From the D.G., A.C.B, Andhra Pradesh, Letter No.75/RCT-EWG/2002, Dt:23.09.2002.
2. Government Lr. No. 2202/VC/A1/2002-3, Dt:09.12.2002.
3. From the MD, APSHCL, Procds.No.Vig-1/3139/2002, Dt:24.01.2003.
4. From the Director General, Anti Corruption Bureau, Andhra Pradesh, Lr.Rc.No.75/RCT-EWG/2002-S.13, Dt: 15.02.2007 together with the Judgement of the Special Judge for SPE&ACB Cases, Vijayawada in C.C.No.11/2003, Dt:06.11.2006.
5. From the Director General, Anti Corruption Bureau, Andhra Pradesh, Lr.Rc.No.75/RCT-EWG/2002-S.13, Dt:18.05.2013.
6. From the MD, APSHCL, Procds.No.Vig-1/3139/WG/2002, Dt:10.07.2013.
7. From the Director General, Anti Corruption Bureau, Andhra Pradesh, Lr.Rc.No.75/RCT-EWG/2002, Dt:28.04.2014 together with the Judgement of the Hon'ble High Court of A.P, Hyderabad in Criminal Appeal (SR) No.27987 of 2013, Dt:11.02.2014.
8. Govt. Memo No.595/VC/A1/2011-5, Dt:12.06.2015.
9. From the Director General, Anti Corruption Bureau, Andhra Pradesh, Lr.Rc.No.75/RCT-EWG/2002, Dt:15.09.2017.
10. From Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District, Representation Dt:NIL.

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O R D E R:-

Whereas, Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District was trapped by Anti-Corruption Bureau on 19.04.2002, when he accepted the demanded bribe amount of Rs.1000/- from the complainant Sri P.Satyanarayana, R/o.Bhimadolu(M), West Godavari District to show official favour. In the reference 1st read above, the Director General, ACB has furnished the final report and recommended to prosecute the Accused Officer Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District in the Court of law. And whereas, Government after detail examination of the final report, have accepted the recommendation of the Director General, ACB and requested the Managing Director, APSHCL to accord sanction to the DG, ACB for prosecution of the Accused Officer in the Court of Law. Accordingly, in the reference 3rd read above, the Managing Director, APSHCL has accorded sanction to the Anti-Corruption Bureau to prosecute the said Accused Officer in the Court of law.

2. And whereas, in the reference 4th read above, the Director General, Anti-Corruption Bureau has informed that the Accused Officer was acquitted by the Special Judge for SPE&ACB Cases, Vijayawada in C.C.No.11/2003, Dt:06.11.2006 and requested the Govt. to accord permission to file Criminal Appeal before the Hon'ble High Court against the acquittal orders of the trail court. Government after detail examination of the matter, have requested the Managing Director, APSHCL to accord permission to the DG, ACB to file appeal before the Hon'ble High Court. Accordingly, in the reference 6th read above, the Managing Director, APSHCL has accorded permission to the DG, ACB, for appeal against the acquittal judgment of the Trail Court.

3. Whereas, in the reference 7th read above, the DG, ACB has informed that the Hon'ble High Court has dismissed the criminal appeal filed by the Anti Corruption Bureau in Crl.A.M.P.No.1702 of 2013 in C.A.(SR) No.27987 of 2013. On receipt of the said order, Govt. have requested the DG, ACB to file an SLP before the Hon'ble High Court vide reference 8th read above. In the reference 9th read above, the DG, ACB has opined that it is not a fit case to file SLP in the Hon'ble Apex Court against the acquittal orders of the Trail Court.

4. And whereas, in the reference 10th read above, the Accused Officer Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District has submitted a representation requesting for regularization of his suspension period w.e.f. 01.05.2002 to 06.12.2004 as "ON DUTY" and to release consequent benefits, since the Hon'ble High Court has dismissed the criminal appeal filed by the Anti Corruption Bureau against the acquittal orders of the trail court.

5. After careful examination of the entire matter, Government have decided to drop further action against Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District duly regularizing the suspension period w.e.f. 01.05.2002 to 06.12.2004 as "ON DUTY" as per FR 54-B(4)/54-A(3), as he was acquitted from the criminal case.

6. Accordingly, Government hereby order to drop further action against Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District and to regularize the period of suspension from 01.05.2002 to 06.12.2004 as "ON DUTY" as per FR 54-B(4)/54-A(3).

7. The Managing Director, A.P. State Housing Corporation Limited shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
Ex.OFFICIO SECRETARY TO GOVERNMENT

To
Sri Ch.Sambasiva Rao, former TWI(H), Bhimadole(M), West Godavari District. [Through:- The MD, A.P. State Housing Corporation Limited, Tadepalli, Guntur]
The Managing Director, A.P. State Housing Corporation Limited, Tadepalli, Guntur.
Copy to:
The Vigilance Commissioner, A.P. Vigilance Commission, Velagapudi.
The Director General, Anti Corruption Bureau, Govt. of Andhra Pradesh, Pandit Nehru Bus Station, Vijayawada.

Sf / Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER